

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Erin O'Donnell, *et. al*,

Plaintiffs,

v.

City of Cleveland, *et .al*,

Defendants.

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CASE NO. 1:14-cv-02612

ORDER
[Resolving Doc. [30](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiffs move for reconsideration of the Court's order on a discovery matter.^{1/} At the April 16, 2015, case management conference, the Court ordered Defendants to produce five years of records and discipline reports for incidents where City of Cleveland police used deadly force, resulting in a suspect's death.

Plaintiffs now ask for records of all incidents in which deadly force was used, whether or not a suspect's death occurred. Plaintiffs say they need this discovery in order to compare discipline given to white officers to discipline given to African-American officers in similar circumstances.

Defendants' response does not address this argument, and instead rehashes an earlier argument that producing thirteen years of records would be too onerous.^{2/} While Defendants can later argue that other deadly force incidents are not comparable to the one in which Plaintiffs were involved, that does not stop this discovery. The generous standard for discovery laid out in Rule 26

^{1/}Doc. [30](#).

^{2/}Doc. [31](#).

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supports Plaintiffs' request for reconsideration.^{3/}

Thus, the Court **GRANTS** Plaintiffs' motion. Defendants will provide documents involving the discharge of a firearm, the discipline/change in duty assignments received by the officer discharging the firearm, and that officer's race/ethnicity in each incident, for the five years preceding November 29, 2012.

IT IS SO ORDERED.

Dated: May 4, 2015

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

^{3/}Fed. R. Civ. P. 26(b)(1).